

AMENDMENT NO. 2 TO COOPERATIVE PROJECT AGREEMENT  
Short-Term Regional Transportation Program (STRTP)  
Project I2C, Peach Avenue Widening – Jensen Avenue to Butler Avenue

This Amendment No. 2 to STRTP Project I2C, Peach Avenue – Jensen Avenue to Butler Avenue, is made and entered into the \_\_\_ day of \_\_\_\_\_, 2023 by and between the Fresno County Transportation Authority ("Authority") and the City of Fresno ("Responsible Agency").

1. PARTIES. The Authority and the City of Fresno are collectively referred to herein as "the Parties".

2. RECITALS.

2.1 WHEREAS, the Parties entered into the Cooperative Project Agreement for Project I2C, Peach Avenue – Jensen Avenue to Butler Avenue ("Agreement"), dated December 16, 2009, for funding of a transportation improvement project ("**Project**") in Fresno County pursuant to the Measure "C" Short-Term Regional Transportation Program Handbook ("**Handbook**"), and the Fresno County Measure "C" Expenditure Plan ("**Expenditure Plan**"), which was approved by the voters of Fresno County in November, 2006; and,

WHEREAS, Authority is authorized to approve and revise Project funding for payment to Responsible Agency in accordance with the **Agreement**, the Handbook and the Expenditure Plan regarding the Project I2C, Peach Avenue – Jensen Avenue to Butler Avenue.; and,

WHEREAS, the Agreement provided that Authority shall provide funding to Responsible Agency for eligible Project costs in an amount "not to exceed" **\$5,860,400** of Measure "C" Regional Transportation Program ("**Measure "C"**") funding (as applicable), which upon approval of this Amendment No. 1 will represent the cumulative amount of funding allocated for the Project as of the Effective Date hereof.

2.2 The Parties now desire to amend the statements defining and delineating the Project Scope, Project Schedule and Project Funding Program, as set forth in the original Agreement, based on the following:

- Responsible Agency desires to reallocate \$ 3,000,000 from Project F Ventura SR41 to SR99 to Preliminary Engineering and Construction phases for Project I2C, Peach Avenue – Jensen Avenue to Butler Avenue per the revised Exhibits as more thoroughly described in Section 3.1 of this First Amendment. This reallocation increases the total funding amount authorized by the original **Agreement**.
- The Agreement provided that Authority shall provide funding to Responsible Agency for eligible Project Preliminary Engineering \$388,000 and Construction costs in the amount of \$2,472,400 of Measure "C" funding. Responsible Agency is requesting the total allocation of \$638,000 to Preliminary Engineering and \$ 5,222,400 to Construction Phase for Project I2C, Peach Avenue – Jensen Avenue

to Butler Avenue per the revised Exhibits as more thoroughly described in Section 3.1 of this **Amendment No. 2**.

3. TERMS.

3.1 Exhibit "A" (Project Scope), Exhibit "B" (Project Schedule) and Exhibit "C" (Project Funding Program), which hereinafter shall be referenced collectively the "Original Exhibits" as set forth in Section 1.1 of the original Agreement, and which were fully incorporated therein by the provisions of Section 3.23 thereof, shall be and are hereby replaced by Exhibit "A1" (Project Scope), Exhibit "B1" (Project Schedule), and Exhibit "C1" (Project Funding Program), which are attached hereto and incorporated herein by this reference, commencing upon the Effective Date of this **Amendment No. 2** to the Agreement.

3.2 All work performed by the Responsible Agency under the Agreement prior to the Effective Date of this **Amendment No. 2** shall be governed by and compensated pursuant to the applicable Exhibits and pursuant to the terms of the original Agreement. All work performed commencing upon the Effective Date of this Amendment No. 1 shall be governed by and compensated pursuant to the Agreement as modified by this **Amendment No. 2**.

3.3 Effective Date. The Effective Date of this **Amendment No.2** to the Agreement shall be 12:01 a.m. of the day following the date upon which it is signed by the Parties. In the event this **Amendment No. 2** to the Agreement is signed by the Parties on different dates, the Effective Date shall be 12:01 a.m. of the day following that date upon which it is signed by the second of the Parties.

3.4 All other terms and conditions contained in the Cooperative Project Agreement are unaffected by this **Amendment No. 2** and shall remain in full force and effect.

**IN WITNESS WHEREOF**, the undersigned Parties have executed this Agreement on the day and year first written above.

**FRESNO COUNTY TRANSPORTATION AUTHORITY**

By \_\_\_\_\_ ATTEST  
(Signature) By \_\_\_\_\_  
(Signature)

Name ERNEST "BUDDY" MENDES Name MIKE LEONARDO  
(Typed) (Typed)

Title Chair of the Authority Title Executive Director

APPROVED AS TO LEGAL FORM:  
DANIEL C. CEDERBORG, COUNTY  
COUNSEL

APPROVED AS TO ACCOUNTING  
FORM:

By \_\_\_\_\_ By \_\_\_\_\_  
(Signature) (Signature)

Name MICHAEL E. ROWE Name OSCAR J. GARCIA, C.P.A.

Title Senior Deputy County Counsel Title Auditor-Controller/Treasurer-Tax Collector

**CITY OF FRESNO**

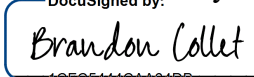
ATTEST

By \_\_\_\_\_ By \_\_\_\_\_  
(Signature) (Signature)

Name SCOTT L. MOZIER, P.E., T.E. Name TODD STERMER, C.M.C.

Title PUBLIC WORKS DIRECTOR Title CITY CLERK

APPROVED AS TO FORM  
ANDREW IANZ, City Attorney

BY:   
\_\_\_\_\_  
BRANDON COLLET  
Supervising Deputy City Attorney